

**Municipal Planning Commission
MINUTES
Meeting of Wednesday November 18, 2020**

Present: Darryl Drohomerski, CAO/Development Officer - online
Antonia Knight, Development Officer in Training
Linda Taylor, Recording Secretary
Tom Zariski, Chair - Councillor/Member – online – exit at 12:59pm
Tony Lacher, Councillor/Member - online
Sharon Clark, Vice Chair/Member – online – exit at 1:10 pm
Shelley Rymal, Member - online
Stacey Gallagher, Member - online
Andrew Luger, Member – online
Devin Diano, Palliser Rep. – Planner – online – exit 1:05pm

Absent: Scott Kuntz, Member - Regrets

Attendee(s):

1.0 CALL TO ORDER – 12:09 pm

T. Zariski presented the Agenda for the November 18, 2020 meeting.

1.1 Agenda – Additions, Deletions or Amendments

Addition - none

Deletion - none

Amendment - none

1.2 Acceptance of Agenda

Motion: - S. Rymal moved to accept the agenda for the November 18, 2020 meeting.

Second: – S. Clark - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 November 5, 2020

Motion: S. Rymal moved to accept the minutes of November 5, 2020

Second: – S. Gallagher - Carried

2.2 Summary of Development Permits

Motion: A. Luger moved to accept the Summary of Development Permits for information only

Second: – T. Lacher - Carried

3.0 DEVELOPMENT PERMITS

3.1 T00124-20D – Applicant – 2 portable accessory buildings (Shelter Logic)

D. Drohomerski presented Development Permit T00124-20D submitted by Applicant for placement of two 20-foot x 10-foot portable shelters for storage located at 153 1 Street, Nacmine on Plan 7125DD; Block 3; Lot 5. Zoning is R-1 – Residential District.

D. Drohomerski advised the applicant is applying for placement of two 20-foot x 10-foot portable shelters for storage. Accessory building, portable is a discretionary use in this district. As noted on the application the shelters would not be seen from first street or the alley due to the fences and hedges surrounding the property. Approval for the placement of the shelters was signed by the property owner.

In camera – 12:13 pm
Motion S. Rymal
Second S. Clark - carried

Out in camera – 12:34 pm
Motion S. Clark
Second S. Rymal - carried

Municipal Planning Commission discussed the application. Discussion on accessory buildings as per the Land Use Bylaw for the zoning; not to exceed 728 square feet, unless otherwise approved by Municipal Planning Commission, relaxations to lot coverage greater than 20% may be permitted with consideration to the lot and shall not exceed the square footage of the principal building. There is an existing 552 square foot accessory building on the property with the two accessory buildings the square footage is a total of 952; exceeding the allowable by 30.5%.

Motion: S. Gallagher moved to approve presented Development Permit T00124-20D submitted by Applicant for placement of two 20-foot x 10-foot portable shelters for storage located at 153 1 Street, Nacmine on Plan 7125DD; Block 3; Lot 5.

Second: S. Rymal Vote in Favor - 0 Opposed - 6.

Motion Defeated.

REASON FOR REFUSAL

The Municipal Planning Commission denied the application for placement of two 20-foot x 10-foot portable shelters for storage, for the following reason(s):

1. The addition of the two 20-foot x 10-foot portable shelters with the existing accessory building (garage) would exceed the square footage allowable of 728 by 30.5%; As per the Town of Drumheller Land Use Bylaw 10-08

R-1 – Residential District

Accessory buildings shall not exceed the lesser of 67 m² (728 sq. ft.) or 15% of lot coverage unless otherwise approved by the Municipal Planning Commission, relaxations to lot coverage greater than 20% may be permitted with consideration for:

- (i) the size and configuration of the lot; and
- (ii) shall not exceed the floor area of the principal building.

2. The addition of the two 20-foot x 10-foot portable shelters did not meet the relaxation-variance of the development standards; per the Town of Drumheller Land Use Bylaw 10-08
Relaxation/ Variance of Development Standards

- (7) (a) The Municipal Planning Commission at its discretion may relax the minimum requirements or maximum limits in any land use district beyond the standards outlined in the Land Use Bylaw up to 20% if in the opinion of the Municipal Planning Commission the proposed development would not:
- (i) unduly interfere with the amenities of the neighborhood;
 - (ii) materially interfere with or affect the use, enjoyment or value of the neighboring properties; and
 - (iii) the proposed development conforms with a land use prescribed for that land or building in this Bylaw; and
 - (iv) side yards in a residential land use district shall not be less than 1.2m (4 ft.) unless the proposed development is determined to be consistent with the neighborhood and appropriate fire rating and building code considerations are provided.

(b) Notwithstanding the above, the Municipal Planning Commission, at its discretion, may relax the minimum requirements or maximum limits beyond 20% in the following situations and in accordance with the following criterion:

(vi) Test for Criteria:

- (i) the proposed development would not unduly interfere with the amenities of the neighborhood or materially interfere with or affect the use, enjoyment or value of neighboring properties; and
- (ii) the proposed development conforms with a use prescribed by this Bylaw for that land or building; and
- (iii) the proposed use or development conforms to the purpose and intent of the Land Use District; and
- (iv) consideration of whether granting the relaxation would make the proposed development incompatible with existing developments or uses; and
- (v) must take into consideration the future land uses of the parcel and surrounding area as depicted in any statutory plans of the municipality.

3.2 T00126-20D – Applicant – 3 decks

D. Drohomerski presented Development Permit T00126-20D submitted by Applicant for 3 decks located at 861 3 Avenue West, Drumheller on Plan 6979DB; Block 50A; Lot E ½ 9 and 10. Zoning is R-1 – Residential District.

D. Drohomerski advised the applicant is applying for 3 decks; the property was recently purchased, as part of the purchase was to obtain an issued development permit for the decks with variances. The side deck is 30 centimeters high and meets all setback requirements. The front deck is 34 centimetres high, and is more of a landing however does require a variance to 3.55-meter front yard set back. The rear deck is 15 centimeters high and does require a variance to 5.46-meter rear yard set back.

Municipal Planning Commission discussed the application.

Motion: S. Clark moved to approve presented Development Permit T00126-20D submitted by Applicant for side yard deck, rear yard deck with variance to 5.46-meter rear yard set back and front yard deck with variance to 3.55-meter front yard set back located at 861 3 Avenue West, Drumheller on Plan 6979DB; Block 50A; Lot E ½ 9 and 10 subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to Town of Drumheller Community Standards Bylaw 06-19.
3. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
4. Placement of construction as per plot plan submitted.
5. Should the deck height be .6 meter (24 inches) or higher at any point, a building permit will be required.
6. Should a hot tub be installed a building permit and electrical permit are required.
7. Should the deck be enclosed or have a roof a building permit will be required
8. External finished appearance of the proposed construction to be compatible with that of existing development.
9. Any changes in the proposed development as approved; the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
10. Contractor(s) to have a valid Business License with the Town of Drumheller.
11. Contact Alberta One-Call 1-800-242-3447 to request that buried utilities be located and marked; secondary utilities are the property owner's responsibility.

Second: S. Gallagher - Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

5.0 OTHER DISCUSSION ITEMS

5.1 Buildings – vacant or unfinished

- Municipal Planning Commission discussed various buildings that are presently vacant or in an unfinished state(s).
- Is there incentives present or could incentives be brought forward to the owners of the properties to assist or encourage cleaning up the property(s) and/or getting projects completed in a timelier manner.
- Are conditions of development being met by the applicants, and what is being done to encourage completion.
- Also noted, are there incentives to be presented to vacant land owners to motivate development?
- Discussion in regards to supplementary tax on vacant buildings; currently there are discussions with the assessors.

5.2 Land Use Bylaw and Municipal Development Plan

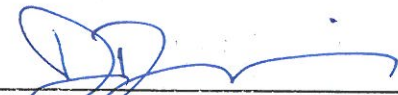
- Second reading of the Land Use Bylaw to take place on November 23, 2020.
- Feed back will be accepted for seven days between the second and third readings.
- Mapping is now available to view in regards to the proposed zoning

6.0 NEXT MEETING DATE – December 3, 2020

7.0 Adjournment – Meeting adjourned by A. Luger at 1:33 pm. Second by S. Gallagher - Carried

See attached

Chairperson



Development Officer

Attachments:

- Agenda
- Summary of development permits

5.0 OTHER DISCUSSION ITEMS

5.1 Buildings – vacant or unfinished

- Municipal Planning Commission discussed various buildings that are presently vacant or in an unfinished state(s).
- Is there incentives present or could incentives be brought forward to the owners of the properties to assist or encourage cleaning up the property(s) and/or getting projects completed in a timelier manner.
- Are conditions of development being met by the applicants, and what is being done to encourage completion.
- Also noted, are there incentives to be presented to vacant land owners to motivate development?
- Discussion in regards to supplementary tax on vacant buildings; currently there are discussions with the assessors.

5.2 Land Use Bylaw and Municipal Development Plan

- Second reading of the Land Use Bylaw to take place on November 23, 2020.
- Feed back will be accepted for seven days between the second and third readings.
- Mapping is now available to view in regards to the proposed zoning

6.0 NEXT MEETING DATE – December 3, 2020

7.0 Adjournment – Meeting adjourned by A. Luger at 1:33 pm. Second by S. Gallagher - Carried



Chairperson

Development Officer

Attachments:

- Agenda
- Summary of development permits